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le 23 Novembre 1998 - Vol. 19, No. 10 - November 23, 1998

Quid Novi

Faculty of Law of McGill University / Faculté de Droit de l'Université McGill

Peden's back!

NEIL PEDEN, NAT IV

In answer to the inquiries relating to the absence of my "weekly" column, I offer the following explanation. My submissions to the Quid are on a weekly basis, barring the occurrence of one of three situations: (1) I spend the week so overcome with ennui that to rail against the absurdities of life would offer no solace. This never happens. (2) Nothing manages to attract my ire over the course of an entire week. This never happens, either. (3) I am too lazy to do anything other than eat, sleep, drink, and play poker. This often happens, and is why I am currently looking for a summary for Criminal Procedure.

* * *

It has come to my attention that the powers that be are seeking input from students on how to improve the registration process. This is like asking patients how to improve a root canal; we're not entirely sure how it works, we just know that it hurts—a lot. This doesn't mean that I don't have any suggestions. First of all, I find it ironic that I should be forced to get up before 6 a.m. (twice) just so that I can avoid a schedule where I begin at 8:30 every morning. It's a lot like Russian Roulette in that it is equitable enough, but it isn't much fun—the only people who enjoy it are those who have just about given up on life anyway—and the advantage to Russian Roulette is that you can only really lose once.

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Firm reports II

AARON DANTOWITZ, LLB II

Now that (a) my midterms and moot exercise are over, (b) my head has stopped spinning and (c) I have finally finished wallpapering my room with business cards, I can deliver my long-awaited, follow-up investigative report on what interview week in Toronto is really like. Having now cunningly infiltrated behind the reception area and gained access to the lawyers in person, I must refrain from referring to specific firms in print, lest I (a) blow my cover, or (b) hurt the feelings of all my new barrister and solicitor friends (i.e. phone me for the real dirt). Despite this newfound restraint, I am pleased to be able to offer, exclusively to *Quid* readers, the following tidbits of intriguing general information about the experience from behind the scenes:

2nd most shocking revelation of the week: lawyers are nice people

Most shocking revelation of the week: Bay Street lawyers are nice people

Hardest place to find a washroom in which to check one's hair: Toronto-Dominion Centre

Best thing to say to kill at least 20 minutes of interview time: "I was wondering if you could tell me a little about the work that *you* do..." (works every time)

Lawyers' favourite meaningless expression: "open-door policy"

Longest time spent talking to a single lawyer: 45 minutes

Longest time spent talking to a guy I thought was a lawyer but turned out to be head of the computer services department: 15 minutes (don't ask)

Best analogy by a lawyer: "Junior associates are like the canaries in the mine shaft: you can tell by looking at them whether it's safe to enter"

Best proof that you will never need to remember anything you learn in law school:

Litigation guy: (comparing common law principles and Civil Code provisions) "It's like, you can know the rule in *Hadley v. Baxendale*, but you still have to be able to interpret and apply it."

Corporate law guy: "*Hadley v. Baxendale*: that's negligent misrepresentation, right?"

Litigation guy: "Um, yeah."

Me: (tactful silence)

Most important things I had forgotten about Toronto:

It gets COLD there in November

"Excusez" is not a commonly-used expression in most parts of the city

My parents live a hell of a long way from downtown

Most important things I learned from the experience:

Not all firms are alike

You can't judge a firm by its furniture

I should not have scheduled an interview at 8:00 am

So there you have it. The experience is, I am sure, quite different in Montreal, New York, Vancouver and so on; keep the faith, fearless reader, that someone else will one day deliver a similar exposé on those cities in these pages. For now, I leave you with this thought: if the firm thing is on your list of options for the future, good luck and remember, don't believe everything you see in those glossy brochures (shockingly, there was absolutely no sports equipment on the premises at McCarth - I mean, a firm that will remain nameless...)



Response: *Striking a balance*

JODI ETTEMBERG & RÉNA KERMASHA,
BCL I



This is a response to the article «First year no-show» from the November 9th *Quid Novi* written by Tony Hoffman. After finishing the article, we felt not only offended by the assumptions made by the author but also motivated to speak for those who have not been showing up to the parties and *do not* fit into the rigid categories set out in the article. Mr. Hoffman says that we can assume that people are not participating in school-related functions for one of two (or both) reasons, one being that they are sick of law school students and two, that they are too absorbed in their work to find the time. There *are* other reasons that give rise to this duly noted absence. First of all, and especially for civil law students many of whom are originally from Montreal, it is difficult to balance our new lives with our old ones. In prioritising our school work, our old friends and our new ones, unfortunately we have had to put an emphasis on the first two while sacrificing some of the latter.

Mr. Hoffman also mentions that if we continue to refrain from participating in these school events, we may find that at the end of our four years, we will have missed the chance to become acquainted with our classmates. We would like to respond however that after two months of law school,

a lot of us have already become greatly acquainted with each other. Furthermore, it would be a lot easier to lose our non-law school friends if we prioritised the law school parties than to lose our law-school friends since we not only see the latter group every day but study with them as well.

Mr. Hoffman has also crossed the line in presuming that those who have missed out on the extra-curricular activities will be slotted as sociopaths «within fifteen seconds» of a law firm interview. We recognise that this comment may have been an attempt to insert some humour into the text, but we find that polarising the first year students in the way that he did is not only a faulty generalisation but also an insult.

In essence, what Mr. Hoffman's article boils down to is an issue of priorities. We do not want to condemn his priorities or his point of view but we would expect the same respect for our priorities as well. We

speak for several people when we say that school work is currently our *first* priority. It does not mean that we do not know how to party (come see us dance Thursday night at the great show our fellow student Gnat puts on every week at Angel's). It does not mean that we do not have friends (not only do we have friends but we have them in *and out* of school). Besides, we have been to coffee house several times and we do not think it is «an assignment in a four year course on business development tactics and strategies». Rather, we feel it is an opportunity to socialise with people out of class but not a mandatory course to attend. The final lesson, as Mr. Hoffman points out, is that we need to strike a balance. In our view, this balance is struck not only by maintaining a social life but by immersing ourselves in this educational experience. We will take Mr. Hoffman's advice into consideration if he does the same with ours.

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Ben's Re-tort

BEN ARCHIBALD
LL.B. II

Political Football

Advanced billing suggested that the provincial election slated for November the thirtieth would be the most dramatic in Quebec's recent history. The leaders of the major parties are great rhetoricians and inspirational speakers, each with a very different vision for the province. After last night's *Debat des Chefs* one begins to question the hype surrounding the messianic Bouchard and the Charest effect. Both leaders displayed a Gorgian touch in misleading the Quebec population into believing that the economy is healthy and that tax reductions are on the horizon. The premier would have us believe that Quebec has benefited from the economic boom felt across North America, the amount of McGill law students leaving this province is indicative of a very different phenomenon. Quebec's economy is still recovering from the

recession in the late eighties and has not reaped the rewards of "*une croissance économique*" in many years. Yet Jean Charest cannot effectively attack the Premier. Through no fault of his own the provincial liberals played a role in bankrupting this province and evading the constitutional concerns of Quebecers. The debate demonstrated that the Premier is out of touch, and that Charest is bad at math, you can't cut taxes and reinvest in education and health simultaneously. Although outclassed by the Tory rhetoricians, Action Democratique leader Mario Dumont managed to raise concerns facing all Quebecers in the regions and the cities, Francophone, allophone and anglophone. A political neophyte, Dumont still likes the idea of politics as truth, as a result he is not a player. Furthermore his

constitutional suggestions are ill-conceived: the Supreme Court's ruling on a unilateral declaration of independence does not imply that we should have an eight year moratorium on referendums so we can milk the Federal government. If anything, Premier Bouchard displayed some sense of decency in affirming that his ultimate goal is to secede from Canada ending "*les chicanes avec le federal*". The reality is simple, Quebec's universities are collapsing due to

budget cuts, people are dying in emergency wards and the economy stinks. A native Montrealer, I look around and at twenty two ninety percent of my high school buddies live in Ontario and the US. The reality is clear there has been a devastating brain drain in this province (this is not to suggest that my buddies are

bright!). Premier Bouchard can quote statistics until he is blue in the face, but reality speaks far louder than political rhetoric. Jean Charest can speak of constitutional peace but the traditional provincial liberal position has not managed in achieving its goal of uniting the French and English communities in the hope of building a stronger Quebec within the Canadian federation. Mario Dumont can continue waffling on the constitution like his mentor Premier Bourassa, but he believes in frankness and the truth, his political

life is short. The great campaign pitting two federal Tories against one another in a social democratic province has produced little if any original thought. Quebec stumbles onward subject to the whims of our particular brand of political football.

First-year impressions

LINDSEY CAMERON LLBI

It was bound to happen, but I didn't expect it to start so soon. I'm barely into the third month of law school, but friends have already begun calling me with requests for legal advice. Despite my protestations that I know nothing, already they accept my word as more valid than their own common sense.

For example, last weekend a friend called because she had problems with her sublet. She had agreed orally to pay half the rent - a term set by a person she suspected was honest but didn't know very well. When, several months later, she discovered that her "half" was actually four-fifths of the rent and confronted her new roommate, the situation became ugly. Fearing for her safety, she decided to leave as quickly as possible. She found a new apartment and proceeded to get some "legal" advice (from whom, I don't know) about how to get her money back. The advice given to her was to take something of value of her roommate's (e.g. T.V. or VCR or both) to her new apartment and send him a registered letter informing him that she was in possession of his things and would give them back when he gave back the rent money she had overpaid. If he refused, she was told that she should take his possessions to a pawn shop and pay herself back. Having moved before getting another opinion, she did as she was told (she took a table instead of his VCR).

When my friend finally did call me, she was wondering how she should phrase the letter so that it would be legally enforceable. I suggested that she take the table back to him as quickly as possible if she didn't want the police on her doorstep. In her state of frustration and panic, she didn't realize that even in law, two wrongs don't make a right. Maybe the only thing that helped to convince her that the advice she had received was bad was that I could use fancy words like "conversion" instead of "theft" to describe the act in question.

Gay and Lesbian Issues in the Workplace

MELVIN CHUCK, *BCL II*

Having had a working career before entering legal studies, and also being a member of "OUTLAW", I've decided to share some experiences about equity issues in the workplace.

HETEROSEXISM

What are gay and lesbian issues in the workplace? Imagine that you are gay or lesbian and I am your heterosexual colleague. I assume that you are like me - heterosexual. How does this affect our work environment?

-Colleagues

First, by my assumption of your heterosexual orientation, it may make it difficult for you, as a gay or lesbian person, to tell me otherwise. Second, my assumption may cause me to engage in behavior and dialogue that is sometimes inappropriate or offensive to you. As a result, you may not trust me. Third, your lack of trust may cause you to collaborate less with me and my other colleagues, making our workplace less effective.

-Managers

If I am your manager and assume that everyone who works for me is heterosexual, I am less concerned about the toll of inappropriate comments about homosexuality, less likely to use inclusive language, less likely to hear about the difficulties faced by gay, lesbian or bisexual employees doing their job, and less likely to educate employees about diversity in the work place. I would be less effective as a manager.

INCLUSIVE LANGUAGE AND BEHAVIOR

Inclusive language is «chairperson» instead of «chairman». Inclusive behavior is when a year end office party is referred to as a «holiday party», and promoted as such, rather than as a «Christmas party». This acknowledges that not all employees celebrate at one particular time of year and that not one religious belief is endorsed.

-Gay and Lesbian Specific

As my gay or lesbian colleague, if I asked you, «Are you married?», even though you and your «significant other» or «partner» have been together for many years, by my language you assume - perhaps incorrectly, that I expect you to be heterosexual. Therefore you answer «no». However if I asked you «Are you in a relationship?», and as a gay or lesbian person, you recognize that I acknowledge a possibility of your relationship, you may be more inclined to answer, «Yes, my partner...».

WHAT'S THE DIFFERENCE?

Being in a committed relationship dramatically affects your work life. When management decides to transfer you across the country, because you are not «married», it's assumed that there is no significant person in your life. However your partner may not be willing or able to transfer his/her job.

As a gay or lesbian person, if your partner is ill, you may need to stay at home. If a member of your partner's immediate family dies, you may need to take some time from work for a funeral. If your partner has limited vacation time, your plans cannot be easily changed.

Likewise, if you are in an environment which assumes that everyone is heterosexual, your reluctance to open yourself up to others may indicate a communication barrier. Even though you, as a gay or lesbian employee, may be the most qualified employee, you may be seen as «aloof». Your behavior and attitude will likely affect your performance assessment and chances of promotion.

«SAFE SIGNS»

As a gay or lesbian employee, you need to be sure that you will be «safe» in disclosing any information about yourself. Heterosexual colleagues can ensure this by casually mentioning in appropriate settings about one's own gay friends or a positive reaction to a gay-themed television show or movie. This breaks the silence that

heterosexism creates.

CHANGES AND CHALLENGES - REALITY CHECK

So now, in my scenario, you are no longer the gay or lesbian employee, but for others this is our identity.

In my previous workplace I learned from my gay and lesbian colleagues, my friends, that the necessity of making heterosexual colleagues feel comfortable outweighed my gay and lesbian colleagues own discomfort. As the desire to be «liked» or to «fit in» is deeply imbedded in humans (as you recognize both in law school and in the work place), this leads to a «Don't ask, don't tell» situation.

Such a situation provides some temporary relief from discomfort for heterosexual colleagues, however it deprives them of an invaluable gift - that they know and are friends with a gay or lesbian person.

Attitudes about gays and lesbians shift marginally because of newspaper articles and television programs. Attitudes shift fundamentally because of altered personal experience - knowing someone who is gay or lesbian and being their friend.

«GAY OR LESBIAN ISSUES» OR «PEOPLE ISSUES»

As you enter the workforce and if you decide to challenge stereotypes, you will see more and more that racism, sexism and heterosexism are not «their issues», but rather «our issues» - «people issues». As this not «their» workplace, but «ours».

In a world where many of us wonder if one person can make any difference at all, for those of us that challenge these stereotypes, this is one of the most powerful acts to affect change that any individual can perform.

Pleading - making it fun!

MIKE KANDEV, BCL II

Vu que la saison de soccer s'est terminée prématurément pour *Sui Generis* je n'aurais pas de nouvelles sportives avant janvier prochain. Pour autant, je ne pouvais pas attendre le deuxième semestre pour reprendre ma plume, alors j'ai décidé de modifier le but initial de ma chronique et d'écrire d'autres choses que de sport.

Invariably, second year students have to go through what is known as the factum exercise. The previous issues of the Quid were almost exclusively dedicated to this topic. Thus I will not dare to open the discussion once again. I decided rather to write about the fun part of the factum which is actually pleading it.

For no particular reason the pleading exercise seems to cause much greater levels of stress in innocent second year law students than the writing of the factum itself. This clearly defies all efficiency principles. This reaction is even more unexplainable when one considers the fact that the mooting grade counts only for 0.4 of a measly credit. I therefore submit to you (Damn, since I wrote my factum I can't stop submitting things!) that you should grasp the opportunity and have fun before, after and while you are pleading. Here are a few suggestions for a more enjoyable moot (Since I was late submitting (#*@!) this article, my tips are addressed to the first year students):

First, dress your best, but, please, be creative! Do not be afraid to explore new colors. We all know that you have a funeral-serious, interview-worn dark blue suit / "tailleur". Yellow, salmon and red are the perfect choices for the second year mooter. Do not be afraid to consult a fellow classmate. The importance of tie patterns should not be overlooked, either. For example, banknotes are a good pattern for Business Associations moots. Good style is sure to impress the judges, or at least to keep them awake.

Water bottle! According to tutorial leaders, one should use the water bottle to give himself or herself unasked for thinking time. This relatively unimportant equipment of the mooter can also successfully be used to produce effect. If you want to shock, here

are two tips. Forget about the little NAYA® bottle. Bring a 40oz. bottle and then try to chug it. This will allow you sufficient time to answer even the toughest question from the bench. Other suggestion: put water in a Smirnoff vodka mikey (the more audacious ones can keep the vodka). Drink from it confidently and frequently. Do not be surprised if the judges start to stammer.

You like it being rude? Here are a few tips for the obnoxious mooter. First, whenever you get a question from the bench shoot back "What?" This will confuse the judge. Then, it will make him restate the question in simpler terms (if he remembers it). And eventually discourage him from asking more questions. Second, while the

other party is pleading intermittently repeat: "Yeah, you want fries with that?" This last one I borrowed from Steve Leitman to the benefit of those who were not at school last year.

Beer! It is a longstanding McGill tradition to go to Thompson house after your moot. The pleading exercise is a good occasion to make a lawyer or a professor pay for your beer. A recent trend, however, is to go to Thomson house before your moot. Empirical research shows that this will improve your performance.

Finally, all of the above have to be paired with perfect preparation. Only an impressive performance can justify you playing the clown.

FOOD DRIVE UPDATE

All of 1st, 2nd, 3rd and 4th years are still going strong and the race is close with third leading only by one item! The professors and the administrative staff have tripled their first week's results.

There is **ONE MORE WEEK** left to bring in your contribution for the Food Drive. From now on, all the goods not appropriate for Hurricane Mitch Relief will be sent to a Montreal Foundation called Share the Warmth. Their mission includes helping to nourish school-aged children, running a food bank and food delivery service available to the elderly and disabled, and participating in job-training.

First year: 132

Second year: 91

Third Year: 133 *****

Fourth Year: 77

Grad & Exchange students: 8

Professors & Administrative Staff: 29

The monetary contribution for Hurricane Mitch Relief has also been quite impressive. Thanks especially to the generous contribution of Andina and her committee for organising another Samosa sale which raised 140\$. Many thanks also to the LLB I class who contributed 45\$ to the relief effort! The generosity all around is heart-warming.

The Chancellor Day Fiction Club

LAUREL NAST LL.B.III

A Little Old Fashioned Poem of
Appreciation

A little poem for you today because
You're on my mind.

This isn't meant to embarrass but
To thank you in good time.

Last Tuesday I was in the lab
And struggling with a paper.
When you sat down by me to start
Some first year Quicklaw labour.

Three minutes gone and then you
turned
And asked, so ever humbly
If I could please assist you to
Cut down upon your bumbling.

I was so glad to help you out
For I remembered well
The discomfort of the Quicklaw start,
As a nasty, squeezing hell.

I rolled my little chair to you
And remarked upon your face.
I focused, though, on the job at hand
And wished my blush erased.

"Do this, do that," I pushed and
pulled,
To help you through the maze.
I worried the work would bore you
But I knew the help would pay.

You were so quiet as we worked
To solve the Quicklaw puzzle.
I noticed your broad shoulders once
But grabbed my mental muzzle.

Soon enough we'd filled your sheet,
And answered all the questions.
I'd told you much and asked you
If I'd eased your Quicklaw tensions.

You smiled and reassured me
That I'd helped you with The Beast.
You thanked me many times and said
You thought that I should teach.

Another blush, though I'm not sure
You noticed this, thank God.
I thanked you for the compliment
And smiled at your kind nod.

Your project done, you had to go
And politely said goodbye.
But not before we'd chatted some
And you had caught my eye.

For you, dear sir, were kind and sweet
And quite sincere, engaging.
Your features dark and handsome, yes
But your mind was most appealing.

So take this as a little thanks
For a lovely study break.
And please don't stop your kindness,
friend,
For it's your finest trait.

SSMU Rep to Dean of Law Selection Committee

The SSMU is now accepting applications for the position of SSMU representative on the Dean of Law selection committee. To apply please drop off a C.V. and cover letter at the SSMU desk (first floor of the Shatner building) for P.C.O.C. (a selection committee under the responsibility of V.P. University Affairs). Applications should be submitted by 5:00 pm Wednesday, November 25th; interviews are tentatively scheduled for Thursday evening, November 26th and/or Friday, November 27th.

The Dean's selection committee includes two students: one representative of the SSMU and one of PGSS. Unfortunately, this means that the student selected by the committee structured by our V.P. Administration will not be able to sit on the committee as the LSA's representative. However, we strongly encourage all those who went through the process, and any other students now interested, to apply to the SSMU. We would like to thank everyone who participated in the process, as candidates and members of the committee.

Ramblings of a Devil's Advocate

TONY HOFFMANN, LLBI

This week I was tempted to write about political correctness, but then I figured, naaah, how many enemies do I want to make in the first semester? Instead, I thought I would take a sideways look at the issue that got me ranting in the first place: Manners. I suppose that there is some overlap with the current PC craze, but I don't want to touch that. I'll start my massacring an old tune: "where have all the manners gone?" By this I don't mean anything to do with classroom etiquette. God knows I stepped into the path of a gigantic shitstorm when I played Devil's Advocate (see title) on that tidy little issue. What I mean is, where has that politeness and chivalry that separates us from the monkeys gone?

Perhaps it has something to do with where we live. In France, for instance (et la les étudiants français parmi nous sont obligés de me soutenir), it is common courtesy for a single person to pay for a whole round or even, on payday, for the whole night out. This is presumably based on the notion that sooner or later the others in the group are likely to pay for a round themselves. Having been lucky enough to have spent some time in France, and having affected some of their habits and attitude (some good: *Demoiselle, un peu de poésie ce soir...*; some bad: a nasty Marseillais accent when I get drunk: *Ho Putaing Cong!*) I am more than happy, indeed I *like* paying for others. And yet despite this, many people, women most particularly, seem incredibly uncomfortable when I pay the bill with the words: "you can buy me a beer next time." I suppose, in hindsight, this is rather silly of me, since people rarely seem enthusiastic about buying me beer (another reason for the disaster area I facetiously refer to as my financial situation). In any case, why is my desire to be polite treated with such scorn and suspicion. I'm only trying to be nice, after all.

How about the question of opening the door for someone with a smile? I do this religiously – and for those skeptics out there (there are more than a few of you – you can run, but you can't hide) I do the same for men and women; though I'm willing to grant

that my smile tends to be a bit bigger when a woman is involved. In return, I very much appreciate it when people open or hold the door for me, and when they don't I tend to get grumpy. It's such a simple thing, and yet so important if you think about it.

There is also the whole ugly business of the "hey, how ya doin'?" fad. Is it just me, or do we hear that phrase far, far, far too often for it to mean anything? I get the feeling that the people who ask this of every person they meet wouldn't blink an eye if you said your mother had just been run over by a bus. I have taken to answering "Shitty, actually..." and watching their faces drop to the floor like a tux on prom night. It's fun, and I hope it makes people think. I consider it rude to ask a question and have no interest whatsoever in the answer. Don't get me wrong. There are lots of people out there who do mean it when they ask, and to those who do, I'm very grateful. Perhaps a simple "Hi" or "Salut" would suffice.

Finally, and I'm probably going to touch a nerve or six, there is the smoking issue. Now, I'm not going to argue that smoking is a bad habit which invariably results in all manner of horrible and debilitating diseases, but we don't need to be

constantly reminded of that fact, thankyouverymuch! We know! There's this funny little trick of nature called addiction that forces us to light up again. The whole anti-smoking thing has got to the point where I'm willing to say that it's discrimination based on vice! I find it offensive that people, most of whom who have never smoked, declare that it should be easy to quit. If it were that easy to do, don't you think we would have by now? D'UUUUH!

Big Daddy Nicotine is an evil evil master, however, and his claws are long and sharp. It's not at all nice for non-smokers to presume that it's simple to quit smoking. Once you're a smoker, you're a smoker for life, even if you don't happen to smoke anymore, which is why you don't catch people who've stopped smoking yapping about second hand smoke much.

The upshot of all this is that people should pay a little more attention to the little things, not because you might necessarily insult someone, but because you might brighten someone's day, and we all need that every once in a while. I know I do. So, the next time you walk up to a door, see if there's anyone you can hold it for. Very simple, very important.

TV in the Pit!



The LSA has finally purchased and installed its very own ExpressVu Satellite Dish. Come on down and watch your favourite TV shows! The LSA has subscribed to an extensive channel package which includes CNN, Fox, TSN, Discovery Channel, RDI, A&E, all major networks (Canadian and US), MuchMusic, and much more!!

Please note that the TV will not work unless you obtain the remote control which, for security reasons, will be kept in the LSA office. Just drop by the LSA office and pick up the remote control in return for your McGill ID card.

The LSA wishes everyone happy viewing!

Report on International Law Weekend '98 - New York City

MARTIN KAVENA, BCL I

November 13, 1998

This year's ILW, organized by the American Branch of the International Law Association was held at the Bar Association of the City of New York and featured speakers on what was coined «The transition of international law: reflections on trends past, present and future». As exciting as titles such as these seem to be on the covers of the glossy brochures piled high on the welcome desks in reception areas, International Law conferences, as has already been my experience more than once, tend to draw a relatively small, yet select crowd of practitioners and scholars.

The morning of the Friday when the conference essentially started, a number of local New York lawyers showed up for a complimentary shot of caffeine to shake a few hands, though most of them left quickly thereafter saying «I've gotta go, I practice law for a living and don't have the time to stay». That is not to say that since audience numbers tended to equal those of the panelists speaking at each session, that the content of the speeches was uninteresting. Quite the opposite... from Buzz Aldrin who was a panelist speaking on «Space Law» to Amb. Edward R. Finch (Former U.S. Special Ambassador) who spoke on the importance of satellite telecommunications and the need for the development of international law in that respect, and various other practicing lawyers and academics (who were often «Chairpersons» of various important sounding organizations :-), there was quite an educated mix of people from all over the USA (and somewhat ironically, considering the «international» aspect of the conference, the vast majority of speakers were Americans). This would be my only complaint, that unlike the CCIL conference held in Ottawa in October, where foreign speakers from countries like Japan and the USA spoke, little effort seemed to have been made in inviting many foreign speakers to this conference. Having stated my one complaint, I must state what I considered to be the strong points of the conference. Firstly, a non-academic one: it was free (unlike

the 30 non-refundable bucks the Ottawa one required from us financially stressed students). Academically speaking, despite the mono-nationality of most of the speakers, a significant effort was made to cover a very broad range of topics of international law. The four lectures I attended ranged from international software patent and copyright issues, a discussion of the Law of the Sea Convention, international criminal tribunals in both Rwanda and the former Yugoslavia, all the way to a discussion of «Space Law» and the potential job opportunities in the about-to-become a booming developing sector of international law, as heralded by an I.P. lawyer from Houston.

As concerns the students attending the conference, there was a strong showing from Ohio State University, which sent out 6 representatives, in addition to a few other students from a few other American universities. The message I want to convey by saying this is? Let's get a stronger showing

at these conferences - and I'm not saying this simply because I need to justify 130\$ bus tickets to my parents by being able to say «but everyone is going», although it just might work... No, fundamentally, if any law faculty should be interested in international law, it is this one. From our unique bi-juridical learning experience to the strong International law and Comparative law focus of the faculty as a whole, it would be a shame to let unique opportunities to hear interesting speakers (who might not be able to come to McGill to speak before us) pass us by. And perhaps, by getting more Canadians to go to the States for such conferences as this one, we might even encourage the presence of more Canadian speakers and panelists. As Dean Toope said in his keynote address at the CCIL conference in Ottawa in referring to Canada's place in the development and formation of international law, Canada could be doing more. Lets do more.

GRADCOMMITTEE FUNDRAISER:

This year the Grad Committee is offering a wide variety of McGill Law Clothing. The New items are great quality, and very reasonably priced.

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- T-shirts
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- Sweat-Shirts
- Sweat Pants
- Golf Shirts
- Polar-Fleece Pull Overs
- baseball hats

Come check everything out tomorrow! If you have any further questions please do not hesitate to contact Samantha Mintz (Mintz_S) or Jordana Sanft (Sanft_J).

INTRAMURAL NEWS

Goalie-less Malum shuts-out defending champions!!!

MARIE-CLAIRE LEMAN, BCL III

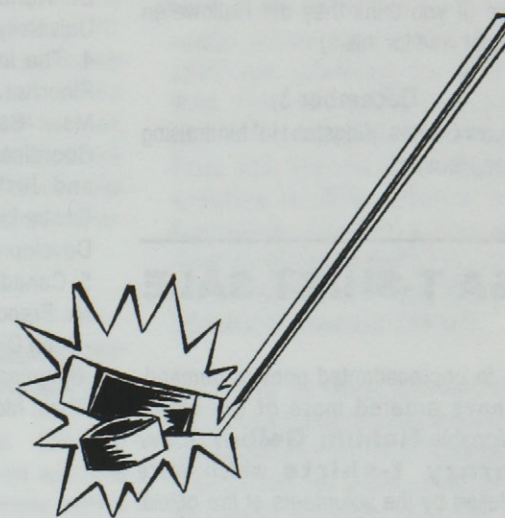
Notice the terms in the title.... 'goalie-less' again, although this time with a full bench including four defensewomen who protected their net remarkably well. Hence the 'shut-out', that is to say (for those of you less familiar with hockey jargon) that they didn't score any goals; and they are indeed the 'defending champions' who incidentally had to beat us last year to acquire that title.

To say Malum played well would be describing any other game this season. Malum controled; Malum dominated; Malum out-skated; Malum won! And this time, from the vantage point of the penalty box and an accasional shift in front of the net in our quiet zone, I was finally able to really appreciate the talent, speed and smooth plays of my teammates.

After exerting tremendous offensive pressure and bombarding their outstanding goalie with shots and rebounds throughout the first periode (including a shot by Erin Needra which reached the cross-bar (inner or outer? The jury's still out...), Malum finally got its first goal at the beginning of the second. Off the face-off, Alex J. tied up their center allowing Sharon J. to come in from the wing and grab the puck. Sharon's path was then cleared by Alana's great work at blocking her own winger. Sharon then went around their defencewoman and scored! Sharon also put the second one in after Alana fed her a breakaway pass out of our own zone.

Finally, M-C's blast from the blue line brought the final count to 3-0.

This was a team effort at all times and in all aspects - even the two penalties taken and the subsequent killing of them were good team efforts. Our coach and line-crafter, Dan 'Saku' Elie, was thoroughly impressed and hopes we are able to follow the same game plan when our goalie is back!



intramural NOVEMBER schedule 98

Tuesday, Nov. 24

Prosecutors @ 23h30

Thursday, Nov. 26

Prosecutors @ 23h30

Sunday, Nov. 29

Overruled @
15h30

Out of Order @
16h30

Malum in Se @ 18h30

Monday, Nov. 30

Spawn of Fagan @
23h30

Triple
beader!!

**Next Quid comes out on
Nov. 30th.**

**Deadline for submissions,
columns, artwork & notices is
Wednesday,
November 25th at 12:30pm.**

events

C&P

UPCOMING COFFEE HOUSES

November 26:

The Grad Committee fundraising Coffee House (if you think they did Hallowe'en well, just wait for this...)

December 3:

The Law Games "Kingston Ho" fundraising Coffee House

LSA T-SHIRT SALE

Due to unprecedented popular demand, we have ordered more of the highly fashionable **Nahum Gelber Law Library t-shirts** which were modelled by the volunteers at the official opening. A limited number of the shirts, now in burgundy with a grey design, are available through the LSA office at a cost of \$12. If you'd like to buy one, drop by during office hours. Vous pouvez également réserver un t-shirt en appelant l'AED au 398-6966.

RESTORATIVE JUSTICE LECTURE WITH REV PIERRE ALLARD,

Rev. Pierre Allard, Assistant Commissioner of Programs and Operations at Correctional Services of Canada, will deliver a lecture on Wednesday, November 25th at 12:30pm in room 201 on Restorative Justice. The lecture is being sponsored by the St. Thomas More Society, and will consider biblical ideals of justice, problems with the current penal system, and ways in which it can be reformed. All are welcome.

ROUND TABLE DISCUSSION ON "THE PINOCHET FILE: A DICTATOR FACING JUSTICE"

The Centre for Developing Area Studies will be holding a Round Table Discussion on "The Pinochet File: A Dictator Facing Justice" on Wednesday, November 25, 1998 at 7pm in Room 100 at 3715 Peel. The speakers are:

1. CDAS and Chile since 1973

Dr. Rosalind Boyd, CDAS Director, McGill University

2. 1973 Coup and the Condor Operation
Dr. Marcelo Solervicens, Chilean Political Scientist

3. International Legal Aspects

Dr. Rene Provost, Law Faculty, McGill University

4. The International Criminal Court and Pinochet

Ms. Barbara Bedont, Associate Coordinator, Democratic Development and Justice Programme, International Centre for Human Rights and Democratic Development

5. Canada's Concerns in the Americas

Mr. Francisco Bozzano-Barnes, CDAS

-Open Discussion

-Planning Future Action

Chair: Mehdi Ghafouri, CDAS

LE PACTE CIVIL DE SOLIDARITE EN FRANCE: BIENTOT (?) UNE NOUVELLE INSTITUTION POUR LES PARTENAIRES DE MEME SEXE (ET DE SEXES DIFFERENTS).

LEGaL McGill OUTLaw / Les Etudiant(e)s Gais, Lesbiennes et Bisexuel(le)s de la Faculté de Droit present our first speaker of the year.

LE PACTE CIVIL DE SOLIDARITE EN FRANCE: BIENTOT (?) UNE NOUVELLE INSTITUTION POUR LES PARTENAIRES DE MEME SEXE (ET DE SEXES DIFFERENTS).

Professor Daniel Borrillo (Maître de conférences en droit privé at the Université de Paris X)

Mercredi le 25th Novembre, dans la salle 202.

Si vous avez des questions vous pouvez communiquer avec Sarah (shanne@po-box.mcgill.ca) or Robert (lekey_r).

LSA Club Meetings

Wednesday, November 25, 17h-18h30

3661 Peel / Common Room

Children Youth and the Law

The first general meeting of Children Youth and the Law. Matters to be decided: everything. Pot-luck-pre-dinner-snack. Wine rovided. Questions? E-mail Eric Ward (warde) or Marie-Claire Leman (leman_m) will be a short meeting. We will inform you about what our objectives for the year are and give you more details on our first guest lecture which will take place in early November. We will also be glad to receive feedback from you — ideas about activities, etc See you all on Wednesday.

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Come check everything out tomorrow!

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fédérale. Mais j'attire votre attention sur le Programme pour étudiantes et étudiants en droit (Code 005 du formulaire) au Ministère de Justice Canada.

Date d'accès au répertoire: dès le 28 octobre 1998.

McKinsey & Company sont très heureux de leur première expérience sur notre campus et du succès remporté par leur première présentation. Je vous rappelle que les candidats intéressés sont priés de faire suivre leur candidature chez McKinsey dans les meilleurs délais. Merci de votre participation enthousiaste et d'avoir fait de cet événement un succès.

RESTRUCTURATION AU SERVICE DE PLACEMENT.

Suite à mes visites aux différents services de placement des campus universitaires de l'Ontario et en vue d'offrir à la clientèle étudiante de la Faculté de droit le meilleur service possible, il apparait clair que le Service de Placement devra se doter, dans les prochains mois, d'une structure de personnel afin d'assurer une permanence administrative au Service. Je ne saurais trop insister sur l'importance du travail bénévole qui demeurera toujours un atout important au déroulement heureux de nos activités, principalement dans la réalisation de projets ad hoc et le succès des foires d'emploi. Cependant l'aspect administratif des activités quotidiennes se doit d'être mieux encadré et soutenu. Des discussions en ce sens ont eu lieu entre la Doyenne adjointe Robin Geller, le président LSA Mario Nigro, les co-chairs Stef Fewes et Kate Corban et moi-même. C'est donc dans cet optique que le Doyen Toope a récemment donné son approbation à l'embauche d'étudiants pour notre Service dans le cadre du programme Work/Study. Deux principaux volets d'activités ont été identifiés pour l'embauche de personnel: un secteur administratif et un secteur organisation d'événements. J'invite donc les étudiants et étudiantes de la Faculté de droit qui se qualifient pour le programme Work/Study à compléter leur formulaire d'inscription auprès de la coordonnatrice du Programme, Powell Building, 2e étage, et à y prendre connaissance de la description des postes de coordonnateur-administration et coordonnateur-événement. Entrée en fonction: mi-janvier 1999.

Career & Placement

Kate Corban & Stefan Fewes, Co-Chairs

Tel: 398-6159 email: placement@lsa

Francine Cholette, Director

Tel: 398-6618 email: cholette@falaw

OFFICE HOURS:

Monday to Thursday
10:30-12:00/2:00-3:30

Or by appointment

Please note that our Newsletter is also published on the Notice Board

PART-TIME POSITION...

...as Research Assistant to Prof. W.F. Foster who is looking for a student, preferably in second year, who has a good eye for detail to undertake work related to the collection, inputting, verification and editing of legislative and other materials concerned with education and law issues. Other tasks may also be assigned from time to time. To commence as soon as possible. Position could lead to summer employment. Remuneration to be negotiated. Submit application and resumé to: W.F. Foster, room 47, 3644 Peel. Phone 398-6627. e-mail: bill@falaw. Deadline for submitting resumé: Friday, November 27.

CLERKSHIPS

Clerkship can be a very interesting alternative to articling. Certain law societies recognize the service of the law clerks as fulfilling all or part of their articling requirements. Je vous invite à considérer cette option dans votre choix de carrière. Vous trouverez ci-après les dates limite pour soumission de votre candidature aux différentes cours qui nous ont fait parvenir des informations. Je vous rappelle que le professeur Saumier tiendra une séance d'info ce mercredi 25 novembre, à midi trente, salle 101, 3647 Peel, pour les postes à la Cour Suprême du Canada. Je vous informe que nous préparons également une deuxième séance d'information qui devrait avoir lieu à la mi-janvier pour les postes d'auxiliaire juridique auprès des juges de la Cour fédérale du Canada, et que le Juge A. Lutfy sera invité à venir vous entretenir des perspectives d'emploi à cette cour.

SUPREME COURT CLERKSHIPS - STAGES À LA COUR SUPRÊME FOR 2000-2001

All clerkship applications must be handed in at the OUS by 11 January 1999. See what documents are required for applications at the Placement Office and/or on our Noticeboard. An information session will be held on November 25th, 1998, at 12:30, Room 101, 3647 Peel. Prof. Geneviève Saumier, Supreme Court Clerkship Coordinator

FEDERAL COURT OF CANADA CLERKSHIPS FOR 2000-2001. 33 POSTES À COMBLER À OTTAWA.

Period of employment: one year, from August 28, 2000 to August 31, 2001. See what documents are required for applications at the Placement Office and/or on our Noticeboard. Deadline for submitting applications: January 29, 1999. Interviews to be held in February 1999.

COURT OF APPEAL AND COURT OF QUEEN'S BENCH OF ALBERTA AT CALGARY AND EDMONTON

Applications are now being accepted from students who wish to serve articles of clerkship with the Court of Appeal and the Court of Queen's Bench of Alberta for the 2000/2001 term. There are 8 articling positions available in each city. Deadline for applications: Calgary - 30 November 1998 and Edmonton - 2 January 1999. Please see all details on our boards. Applications should include a resumé, latest transcript of marks, a legal writing sample such as a brief essay, current and home address and telephone numbers, a small photo for identification purposes, and a covering letter. First Semester (second year) marks can be forwarded when available. Send to: The Hon. Madam Justice Carole Conrad, Court of Appeal of Alberta, 530 - 7th Avenue S.W., Calgary, AB T2P 0Y3. or The Hon. Mr. Justice J.E. Côté, Court of Appeal of Alberta, 1A Sir Winston Churchill Square, Edmonton, AB T5J 0R2.

CAREER DAYS :

January 25th & 26th, 1999

To keep you informed on the organization of our Career Days, about 680 invitations have been sent by mail recently to legal employers in Canada and some in the USA. We expect that between 75 to 100 firms will accept our invitation to participate to our Career Days. Seminars will be presented on those days as well as many career-related workshops during the weeks before and after the event. So please make a note in your diary. C'est un rendez-vous.

PARLIAMENTARY INTERNSHIP PROGRAMME

The Canadian Political Science Association, in collaboration with the Speaker of the House of Commons and the Leaders of the House, announces the thirtieth competition (1999-2000) for the Parliamentary Internship Programme. 10 internships. Open to Canadian citizens who are recent graduates of a university in any discipline. From September 1999 for a period of 10 months. 16 500\$ plus travel subsidies. Application forms available at the Placement Office.

BAR/BRI...

... to prepare for the New York bar exams. For more information, please contact Erin Murphy at 844-7336.

ONTARIO BAR EXAMS - LAW SOCIETY OF UPPER CANADA

Application for Admission to the 42nd Bar Admission Course are now available at the OUS, room 16. Deadline for submitting application: November 27, 1998, 4:00 pm.

1999 Undergraduate graduating students who do not have an articling position or a position upon graduation. I invite you to consult the Articling Vacancy List published by the Law Society of Upper Canada for articling positions in Ontario, posted on the Placement Boards next to the cafeteria. I would also very much like to meet with those of you who are looking for an articling position for May 1999 since I want to assist you in anyway the Placement Office can. Here are some firms who have informed

us that they wish to hire a student for articling in 1999.

Braman Barbacki Moreau, a corporate/commercial law firm with expertise in taxation and international planning, wish to hire a student presently in his/her last year of law school for summer and/or winter employment for 1999-2000, and eventually for articling in 2000. Part-time work during the school year is encouraged but not required. They also wish to hire a student for articling in 1999. Please forward curriculum vitae and a copy of your most recent transcript to the attention of Richard Barbacki, suite 2707, 1 Place Ville Marie, Montreal H3B 4G4.

Le bureau de Denis, Comtois, pratique exclusive en droit du travail à Montréal, est présentement à la recherche de candidats pour combler des postes de stagiaires, soit: un premier à compter de janvier 1999 et un second à compter de mai 1999. Toute personne intéressée est priée de faire parvenir son cv + relevé de notes à l'attn de Me Sylvain Toupin, responsable du recrutement, 3768 ch. de la Côte-des-Neiges, Montréal H3H 1V6. Fax 934-3987.

ARTICLING 2000-2001.

Interviews to be conducted in January in Halifax for articling positions for 2000-2001 at the firm of Huestis Holm, CIBC Building, 1809 Barrington St, Suite 708, Halifax, NS B3J 3K8, to the attention of W. Mark Penfound.

ARTICLING 2000-2001.

Interviews to be conducted at Christmas in St. John's, Newfoundland at the firm of Curtis, Dawe, Fortis Building, 11th Floor, 139 Water St, St. John's, Newfoundland A1C 5J9, to the attention of Ms. Irene S. Muzychka.

EMPLOIS D'ÉTÉ POUR LES ÉTUDIANTS DE 1ÈRE ANNÉE OU AUTRES

Les formulaires du Programme fédéral d'expérience de travail étudiant pour l'été 1999 sont maintenant disponibles au Service de Placement. Plusieurs possibilités d'emploi au sein de la fonction

CONTINUED ON PAGE 10

Peden cont'd...

CONTINUED FROM PAGE 1

Second, MARS treats you like you are somewhat less intelligent than the average cocker spaniel. I swear, if I have to listen to that robot woman tell me to "remember to end each entry by pressing the number SIGN" one more time I am going to bludgeon myself into unconsciousness with the telephone receiver. For one thing, it's the "NUMBER sign," and any child over the age of six refers to it as the pound key. Honestly, it's not like there are a million buttons on the telephone; once you eliminate the numbers and the asterisk there isn't a whole lot left to choose from.

* * *

Social Justice for Dummies™: The Globe and Mail recently did a piece on the phenomenon of "pop-divas-as-covergirls," often barely dressed and provocatively posed (ostensibly at the request of unscrupulous and/or perverted magazine photographers and layout editors). The tone of the piece was decidedly disapproving, and I can see why—if there is a social problem in North America more pressing than the exploitation of millionaire rock stars I should like to know what it is. Who is going to protect these megastars from themselves? If Courtney Love is constantly trying to get her Hole onto the cover of Rolling Stone magazine, it is obviously because she is being manipulated by the establishment.

I think that anyone truly interested in the public welfare would do better to ignore rock stars who become models, and concentrate instead on models who become actresses. (Then we can move on to models who become rock stars, who deserve their own very special corner of hell.) To her credit, Cindy Crawford at least seems to have realized that watching her act is akin to watching a dog and a turtle engaged in coitus; you might look on for a while in disbelief, but the morbid fascination you feel is nothing close to what could be described as "enjoyment."

Anyone who actually derives pleasure from watching Cindy Crawford act is clearly a pervert. However, the best part about being a starlet—a term for which there is no male equivalent, perhaps due to the fact that there hasn't really been a need for one until Leonardo diCaprio—is that it really isn't about acting. Take, for example, "I Still Know What You Did Last Summer," apparently starring Jennifer Love Hewitt's breasts. It isn't that I have anything against her breasts *per se*, I just find it amusing that everything else on the movie poster is in shadow, including the actors' faces. No doubt there were heated discussions in some Hollywood boardroom about whether the average slob would be able to get the hint, or

whether they actually needed to be circled for emphasis. If it were up to me, I would have done one of two things: either make a movie with decent writing, a plot, and actors who don't deliver their lines as though they are American P.O.W.s in Hanoi reciting Viet Cong propaganda over the radio (which would be largely ignored), or abandon all pretences and make "I Still Know What Jennifer Love Hewitt's Breasts Did Last Summer" (which would break box office records and spawn a series of successful sequels, including "Who's Afraid of Jennifer Love Hewitt's Breasts" and "Jennifer Love Hewitt's Breasts Go To Washington"). Frankly, I don't see the point—life is too short for soft-core.

Cameron cont'd...

CONTINUED FROM PAGE 3

We have covered lots of material in most of our courses so far, but the most profound part of my legal education since arriving in Montreal has been the result of my own less-than-fortuitous experiences in the past few months. The two most aggravating were problems arising out of contracts I had signed (which may explain why I'm always prepared for Professor Baker's class - I'm always looking for ways to get myself out of the damn things!).

The first contract was the lease I signed before I discovered the cockroach infestation in the refrigerator of my last apartment. Having arrived only days before the start of classes (banking on the Toronto myth that it's really easy to find a place in Montreal), I found myself choosing between small, overpriced, dingy places in the Plateau. Panicking, I thought that spending the first few weeks of law school on my friends' couches wouldn't be a good way to begin, so I signed in haste. In the end, my evil elderly landlady bought my promise not to take her to the Régis de Logements with a pitiful fraction of the rent I had already paid to her. And I spent the first few weeks on a friend's floor because her couch hadn't been delivered from Ikea yet.

Then, having moved as far away from the Plateau as possible (I live in NDG), I allowed my Legal Methodology tutorial adviser to convince me that law school would be a nightmare if I couldn't use Quicklaw in my pyjamas. So I found a cheap deal on a computer and signed another bad contract. Alas, the computer didn't work - the hard drive persistently repartitioned itself so that I couldn't even install Windows. When I tried to take the computer back, I discovered the clause for a 20% "restocking fee." For days my friends and I agonized over this contract, thinking I could claim that the nasty computer shop had violated its fiduciary duty toward me, or that it hadn't fulfilled its obligation to provide me with a computer that worked. In the end, we discovered it was easier to fix the computer than the contract.

But now my Quicklaw password has expired because I couldn't send the confirmation form back to them in the stipulated time. So here I am in my pyjamas, writing for the Quid instead of doing my library assignment. But I've learned a lot about the law in the past few months - mostly that I want to avoid it at all costs.